

103D CONGRESS
1ST SESSION

S. 740

To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority and certain tax expenditure repeals.

IN THE SENATE OF THE UNITED STATES

APRIL 2 (legislative day, MARCH 3), 1993

Mr. COHEN introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committees on Budget and Governmental Affairs, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

A BILL

To amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority and certain tax expenditure repeals.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Expedited Consider-
5 ation of Proposed Rescissions Act of 1993”.

1 **SEC. 2. EXPEDITED CONSIDERATION OF CERTAIN PRO-**
2 **POSED RESCISSIONS.**

3 (a) IN GENERAL.—Part B of title X of the Congres-
4 sional Budget and Impoundment Control Act of 1974 (2
5 U.S.C. 681 et seq.) is amended by redesignating sections
6 1013 through 1017 as sections 1014 through 1018, re-
7 spectively, and inserting after section 1012 the following
8 new sections:

9 “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED
10 RESCISSIONS

11 “SEC. 1013. (a) PROPOSED RESCISSION OF BUDGET
12 AUTHORITY.—In addition to the method of rescinding
13 budget authority specified in section 1012, the President
14 may propose, at the time and in the manner provided in
15 subsection (b), the rescission of any budget authority pro-
16 vided in an appropriations Act. Funds made available for
17 obligation under this procedure may not be proposed for
18 rescission again under this section or section 1012.

19 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

20 “(1) Not later than 3 days after the date of en-
21 actment of an appropriation Act, the President may
22 transmit to Congress a special message proposing to
23 rescind amounts of budget authority provided in
24 that Act and include with that special message a
25 draft bill or joint resolution that, if enacted, would
26 only rescind that budget authority.

1 “(2) In the case of an appropriation Act that
2 includes accounts within the jurisdiction of more
3 than one subcommittee of the Committee on Approp-
4 riations, the President in proposing to rescind
5 budget authority under this section shall send a sep-
6 arate special message and accompanying draft bill or
7 joint resolution for accounts within the jurisdiction
8 of each such subcommittee.

9 “(3) Each special message shall specify, with
10 respect to the budget authority proposed to be re-
11 scinded, the matters referred to in paragraphs (1)
12 through (5) of section 1012(a).

13 “(c) PROCEDURES FOR EXPEDITED CONSIDER-
14 ATION.—

15 “(1)(A) Before the close of the second day of
16 continuous session of the applicable House after the
17 date of receipt of a special message transmitted to
18 Congress under subsection (b), the majority leader
19 or minority leader of the House of Congress in
20 which the appropriation Act involved originated shall
21 introduce (by request) the draft bill or joint resolu-
22 tion accompanying that special message. If the bill
23 or joint resolution is not introduced as provided in
24 the preceding sentence, then, on the third day of
25 continuous session of that House after the date of

1 receipt of that special message, any Member of that
2 House may introduce the bill or joint resolution.

3 “(B) The bill or joint resolution shall be re-
4 ferred to the Committee on Appropriations of that
5 House. The committee shall report the bill or joint
6 resolution without substantive revision and with or
7 without recommendation. The bill or joint resolution
8 shall be reported not later than the seventh day of
9 continuous session of that House after the date of
10 receipt of that special message. If the Committee on
11 Appropriations fails to report the bill or joint resolu-
12 tion within that period, that committee shall be
13 automatically discharged from consideration of the
14 bill or joint resolution, and the bill or joint resolu-
15 tion shall be placed on the appropriate calendar.

16 “(C) A vote on final passage of the bill or joint
17 resolution shall be taken in that House on or before
18 the close of the 10th calendar day of continuous ses-
19 sion of that House after the date of the introduction
20 of the bill or joint resolution in that House. If the
21 bill or joint resolution is agreed to, the Clerk of the
22 House of Representatives (in the case of a bill or
23 joint resolution agreed to in the House of Represent-
24 atives) or the Secretary of the Senate (in the case
25 of a bill or joint resolution agreed to in the Senate)

1 shall cause the bill or joint resolution to be en-
2 grossed, certified, and transmitted to the other
3 House of Congress on the same calendar day on
4 which the bill or joint resolution is agreed to.

5 “(2)(A) A bill or joint resolution transmitted to
6 the House of Representatives or the Senate pursu-
7 ant to paragraph (1)(C) shall be referred to the
8 Committee on Appropriations of that House. The
9 committee shall report the bill or joint resolution
10 without substantive revision and with or without rec-
11 ommendation. The bill or joint resolution shall be re-
12 ported not later than the seventh day of continuous
13 session of that House after it receives the bill or
14 joint resolution. A committee failing to report the
15 bill or joint resolution within such period shall be
16 automatically discharged from consideration of the
17 bill or joint resolution, and the bill or joint resolu-
18 tion shall be placed upon the appropriate calendar.

19 “(B) A vote on final passage of a bill or joint
20 resolution transmitted to that House shall be taken
21 on or before the close of the 10th calendar day of
22 continuous session of that House after the date on
23 which the bill or joint resolution is transmitted. If
24 the bill or joint resolution is agreed to in that
25 House, the Clerk of the House of Representatives

1 (in the case of a bill or joint resolution agreed to in
2 the House of Representatives) or the Secretary of
3 the Senate (in the case of a bill or joint resolution
4 agreed to in the Senate) shall cause the engrossed
5 bill or joint resolution to be returned to the House
6 in which the bill or joint resolution originated.

7 “(3)(A) A motion in the House of Representa-
8 tives to proceed to the consideration of a bill or joint
9 resolution under this section shall be highly privi-
10 leged and not debatable. An amendment to the mo-
11 tion shall not be in order, nor shall it be in order
12 to move to reconsider the vote by which the motion
13 is agreed to or disagreed to.

14 “(B) Debate in the House of Representatives
15 on a bill or joint resolution under this section shall
16 not exceed 4 hours, which shall be divided equally
17 between those favoring and those opposing the bill
18 or joint resolution. A motion further to limit debate
19 shall not be debatable. It shall not be in order to
20 move to recommit a bill or joint resolution under
21 this section or to move to reconsider the vote by
22 which the bill or joint resolution is agreed to or dis-
23 agreed to.

24 “(C) Appeals from decisions of the Chair relat-
25 ing to the application of the Rules of the House of

1 Representatives to the procedure relating to a bill or
2 joint resolution under this section shall be decided
3 without debate.

4 “(D) Except to the extent specifically provided
5 in the preceding provisions of this subsection, con-
6 sideration of a bill or joint resolution under this sec-
7 tion shall be governed by the Rules of the House of
8 Representatives.

9 “(4)(A) A motion in the Senate to proceed to
10 the consideration of a bill or joint resolution under
11 this section shall be privileged and not debatable. An
12 amendment to the motion shall not be in order, nor
13 shall it be in order to move to reconsider the vote
14 by which the motion is agreed to or disagreed to.

15 “(B) Debate in the Senate on a bill or joint res-
16 olution under this section, and all debatable motions
17 and appeals in connection therewith, shall not exceed
18 10 hours. The time shall be equally divided between,
19 and controlled by, the majority leader and the mi-
20 nority leader or their designees.

21 “(C) Debate in the Senate on any debatable
22 motion or appeal in connection with a bill or joint
23 resolution under this section shall be limited to not
24 more than 1 hour, to be equally divided between,
25 and controlled by, the mover and the manager of the

1 bill or joint resolution, except that in the event the
2 manager of the bill or joint resolution is in favor of
3 any such motion or appeal, the time in opposition
4 thereto, shall be controlled by the minority leader or
5 his designee. Such leaders, or either of them, may,
6 from time under their control on the passage of a
7 bill or joint resolution, allot additional time to any
8 Senator during the consideration of any debatable
9 motion or appeal.

10 “(D) A motion in the Senate to further limit
11 debate on a bill or joint resolution under this section
12 is not debatable. A motion to recommit a bill or joint
13 resolution under this section is not in order.

14 “(d) AMENDMENTS PROHIBITED.—No amendment
15 to a bill or joint resolution considered under this section
16 shall be in order in either the House of Representatives
17 or the Senate. No motion to suspend the application of
18 this subsection shall be in order in either House, nor shall
19 it be in order in either House to suspend the application
20 of this subsection by unanimous consent.

21 “(e) REQUIREMENT TO MAKE AVAILABLE FOR OBLI-
22 GATION.—Any amount of budget authority proposed to be
23 rescinded in a special message transmitted to Congress
24 under subsection (b) shall be made available for obligation
25 on the day after the date on which either House defeats

1 the bill or joint resolution transmitted with that special
2 message.

3 “(f) DEFINITIONS.—For purposes of this section—

4 “(1) the term ‘appropriation Act’ means any
5 general or special appropriation Act, and any Act or
6 joint resolution making supplemental, deficiency, or
7 continuing appropriations; and

8 “(2) continuity of a session of either House of
9 Congress shall be considered as broken only by an
10 adjournment of that House sine die, and the days on
11 which that House is not in session because of an ad-
12 journment of more than 3 days to a date certain
13 shall be excluded in the computation of any period.

14 “EXPEDITED CONSIDERATION OF CERTAIN PROPOSED
15 REPEALS OF TAX EXPENDITURES

16 “SEC. 1013A. (a) PROPOSED REPEAL OF TAX EX-
17 PENDITURE.—The President may propose, at the time
18 and in the manner provided in subsection (b), the repeal
19 of any provision in an Act that would result in a tax ex-
20 penditure.

21 “(b) TRANSMITTAL OF SPECIAL MESSAGE.—

22 “(1) Not later than 3 days after the date of en-
23 actment into law of an Act containing a provision
24 described in subsection (a), the President may trans-
25 mit to Congress a special message proposing to re-
26 peal any such provision contained in that Act and

1 include with that special message a draft bill or joint
2 resolution that, if enacted, would repeal such provi-
3 sion.

4 “(2) Each special message shall include, with
5 respect to the provision proposed to be repealed, a
6 budget analysis of such provision.

7 “(c) PROCEDURES FOR EXPEDITED CONSIDER-
8 ATION.—Each special message transmitted pursuant to
9 subsection (b) shall be considered in accordance with the
10 procedures provided for special messages in section
11 1013(d).

12 “(d) DEFINITION.—For purposes of this section, the
13 term ‘tax expenditure’ shall have the meaning given such
14 term in section 3(3) of the Congressional Budget Act of
15 1974.”.

16 (b) EXERCISE OF RULEMAKING POWERS.—Section
17 904 of such Act (2 U.S.C. 621 note) is amended—

18 (1) by striking “and 1017” in subsection (a)
19 and inserting “1013, 1013A, and 1018”; and

20 (2) by striking “section 1017” in subsection (d)
21 and inserting “sections 1013, 1013A, and 1018”.

22 (c) CONFORMING AMENDMENTS.—

23 (1) Section 1011 of such Act (2 U.S.C. 682(5))
24 is amended—

1 (A) in paragraph (4), by striking “1013”
2 and inserting “1014”; and

3 (B) in paragraph (5)—

4 (i) by striking “1016” and inserting
5 “1017”; and

6 (ii) by striking “1017(b)(1)” and in-
7 serting “1018(b)(1)”.

8 (2) Section 1015 of such Act (2 U.S.C. 685)
9 (as redesignated by section 2(a)) is amended—

10 (A) by striking “1012 or 1013” each place
11 it appears and inserting “1012, 1013, or
12 1014”;

13 (B) in subsection (b)(1), by striking
14 “1012” and inserting “1012 or 1013”;

15 (C) in subsection (b)(2), by striking
16 “1013” and inserting “1014”; and

17 (D) in subsection (e)(2)—

18 (i) by striking “and” at the end of
19 subparagraph (A);

20 (ii) by redesignating subparagraph
21 (B) as subparagraph (C);

22 (iii) by striking “1013” in subpara-
23 graph (C) (as so redesignated) and insert-
24 ing “1014”; and

1 (iv) by inserting after subparagraph

2 (A) the following new subparagraph:

3 “(B) he has transmitted a special message
4 under section 1013 with respect to a proposed
5 rescission; and”.

6 (3) Section 1016 of such Act (2 U.S.C. 686)
7 (as redesignated by section 2(a)) is amended by
8 striking “1012 or 1013” each place it appears and
9 inserting “1012, 1013, or 1014”.

10 (d) CLERICAL AMENDMENTS.—The table of sections
11 for subpart B of title X of such Act is amended—

12 (1) by redesignating the items relating to sec-
13 tions 1013 through 1017 as items relating to sec-
14 tions 1014 through 1018; and

15 (2) by inserting after the item relating to sec-
16 tion 1012 the following new item:

“Sec. 1013. Expedited consideration of certain proposed rescissions.”.

17 **SEC. 3. TERMINATION.**

18 The authority provided by section 1013 and 1013A
19 of the Congressional Budget and Impoundment Control
20 Act of 1974 (as added by section 2) shall terminate effec-
21 tive on the date in 1994 on which Congress adjourns sine
22 die.

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